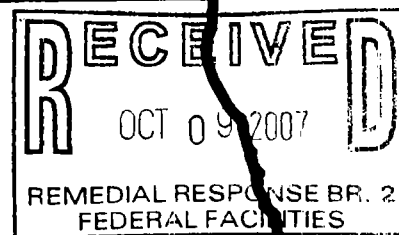


LPC# 031 607 0023 Cook County
Peoples Gas - Hawthorne Avenue Former MGP Site
ILN 000510195
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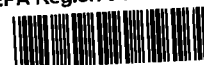


Abbreviated Preliminary Assessment

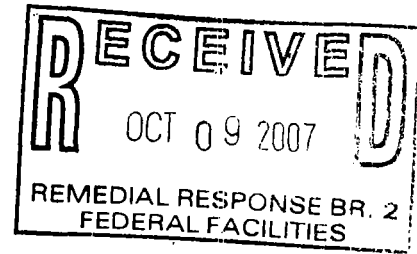


Prepared by:
Office of Site Evaluation
Division of Remediation Management
Bureau of Land

EPA Region 5 Records Ctr.



300570



CERCLA
Abbreviated Preliminary Assessment Report

for:

Peoples Gas Hawthorne Avenue Former MGP Site
Chicago, Illinois
ILN000510195

PREPARED BY:
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
BUREAU OF LAND
DIVISION OF REMEDIATION MANAGEMENT
OFFICE OF SITE EVALUATION

September 30, 2007

Regional EPA Reviewer: Erica Islas *Erica Islas* 3131/08

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Section 1.0 Introduction

On April 11, 2007, the Illinois Environmental Protection Agency's (Illinois EPA) Office of Site Evaluation was tasked by the Region V Offices of the United States Environmental Protection Agency (U.S. EPA) to conduct an Abbreviated Preliminary Assessment at the Peoples Gas Hawthorne Avenue Former Manufactured Gas Plant (MGP) Site. The property is located at the Northwest corner of Marcey Street and Willow Street in Chicago, Cook County, Illinois (Figure 1). The Abbreviated Preliminary Assessment is performed under the authority of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) commonly known as Superfund.

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (40 CFR Part 300) requires that a Preliminary Assessment be performed on all sites entered into the Comprehensive Environmental Response, Compensation, and Liability System (CERCLIS), U.S. EPA's inventory of hazardous waste sites.

The Abbreviated Preliminary Assessment can often determine whether a site should proceed through the Superfund process or be removed altogether with less information than is required for a conventional Preliminary Assessment. The Abbreviated Preliminary Assessment uses the same information as a conventional Preliminary Assessment but relies on best professional judgment to make decisions about a site at earlier stages in the process.

If the findings of the Abbreviated Preliminary Assessment determine that further investigation is necessary, the site will continue to progress through the Superfund process and receive a Site Inspection. A Site Inspection will evaluate the extent that a site presents a threat to human health and/or the environment. This may be

accomplished by collecting and analyzing wastes and environmental media samples to determine whether hazardous substances are present at the site and are migrating to the surrounding environment.

The Site Inspection will provide necessary information that will determine if the site qualifies for possible inclusion on the National Priorities List (NPL) or should have No Further Remedial Action Planned (NFRAP). At any time throughout the Superfund evaluation process, the site may be NFRAP, be referred to another state or federal clean-up program, or recommended for further action.

Section 2.0 Site Background

Section 2.1 Site Description

Historically, the Willow Street Station MGP facility (Willow Street) occupied approximately 5.5 acres and included property east and west of Kingsbury Street (once known as Hawthorne Avenue) (Figure 4). In 2002, the Willow Street MGP Site was split into two separate investigative properties. One property is located west of Kingsbury Street and in 2004 was entered into Illinois EPA's Site Remediation Program. That site is known as the Willow Street MGP Site (ILD982074759) and is currently being evaluated as a separate CERCLA Investigation by Illinois EPA's Office of Site Evaluation.

The focus of this Abbreviated Preliminary Assessment will be the portion of the Willow Street MGP facility that was located east of Kingsbury Street and will be referred to as the Peoples Gas Hawthorne Avenue Station MGP (Hawthorne Avenue) Site. According to file information, the Hawthorne Avenue Site encompasses approximately

2.5 acres and is found in the North Township within the City of Chicago. The site is bordered by Wisconsin Street to the north, Kingsbury Street to the west, Willow Street to the south, and Marcey Street to the east (Figures 2 and 3). Specifically, the site can be found within Section 32, Township 40 North, Range 14 East of the Third Principle Meridian. Surrounding the site is a mixture of businesses that include a scrap yard, restaurants, and retail shopping. Figure 5 illustrates several of the area business in the vicinity of the site.

According to historical maps of the facility, the Hawthorne Avenue Site contained a 2.5 million cubic foot gas holder northeast of the intersection of Willow Street and Kingsbury (Figure 4). The site also included several other buildings used as garages and office space. The gas holder was reportedly dismantled in 1958 and there are presently no remnants of this structure. One original brick building remains on the east central portion of the site.

Currently, two retail shopping businesses operate from two buildings located along the southern portion of the property. A large parking is located along the southeast portion of the site. Parking can also be found east of Kingsbury Street. Along the northern portion of the site is a transformer station and equipment storage yard. Appendix B contains recent photographs of the site.

The site is mostly flat with storm water drains along its perimeter and adjacent to the surrounding streets. The majority of the site is covered by buildings, parking lots, or sidewalks. The North Branch of the Chicago River is located approximately 300 feet west of the Hawthorne Avenue Site.

Section 2.2 Site History

File information indicates the Ogden Gas Company (Ogden Gas) constructed the Willow Street MGP Station sometime between 1895 and 1897. As previously mentioned, the original facility included property east and west of Kingsbury Street. The facility generated and supplied gas to residential, commercial, and industrial customers. Peoples Gas began leasing portions of the property from Ogden Gas starting in 1907. Peoples Gas acquired the assets of Ogden Gas in 1950 and continued to operate at this location until the late 1950's. In 1967, Peoples Gas began selling portions of the Hawthorne Avenue Site and was later developed into retail businesses. Peoples Gas is now owned by Integrys Energy Group, Incorporated (Integrys).

After dismantling the gas holder in 1958, a large building was constructed on the Hawthorne Avenue Site north of the intersection of Willow Street and Kingsbury Street. It has been reported that the building was constructed over the remnants of the gas holder and it is unclear if any remedial activities occurred. It has also been reported that soil was removed prior to the construction of the parking lot along the southeastern portion of the site. No site specific remediation could be substantiated nor were these activities completed with any state or federal oversight.

Currently the Hawthorne Avenue Site is owned by three separate entities. Marcey Properties, LLC, owns and leases southern portions of the site to two retail businesses. It was within the southern portion of the site that most of the structures related to the MGP site were found. Commonwealth Edison utilizes the northern portion of the site as a transformer station and equipment storage yard. Integrys owns the

remaining portion of the site and uses it as a natural gas regulating station with intermittent maintenance activities (Figure 5).

Section 2.3 Regulatory History

Based upon available file information the Hawthorne Avenue site does not appear to be subject to Resource Conservation and Recovery Act (RCRA) corrective action authorities. Information currently available does not indicate that the site is under the authority of the Atomic Energy Act (AEA), Uranium Mine Tailings Action (UMTRCA), or the Federal Insecticide Fungicide or Rodenticide Act (FIFRA). Portions of the site have been enrolled into the Illinois EPA's Site Remediation Program.

Section 3.0 Field Inspection Activities

Section 3.1 Field Inspection

On August 14, 2007, representatives from Integrys Energy Group (Integrys) met with Illinois EPA's Office of Site Evaluation at the Hawthorne Avenue Site. According to Integrys, there is one building remaining on the site that was part of the original MGP facility. This building was originally used for office space and now is currently being utilized by a retail business. There were no signs of the gas holder or any other structures related to the MGP facility on the Hawthorne Avenue Site.

Integrys indicated that the remnants of the gas holder were still possibly beneath the large building located just north of the intersection of Kingsbury Street and Willow Street. They also mentioned that during the construction of that building and an adjacent parking lot, some remedial activities probably occurred but were unclear on the

exact amount of contamination that may have been removed. Site photographs located in Appendix B illustrate the conditions at the site on August 14, 2007.

Section 3.2 Analytical Data

There has been no site specific data provided for the Hawthorne Avenue Site. There is, however, data from a former MGP site located less than 200 feet west of the Hawthorne Avenue Site. There is also sediment data from the North Branch of the Chicago River.

Analytical data generated from the nearby site suggest that Polycyclic Aromatic Hydrocarbon's (PAH's) are a primary contaminant of concern at MGP sites. An extensive sediment study was conducted within the North Branch of the Chicago River in 2007. The study revealed that there are significant levels of PAH contamination within the sediments of the river approximately 300 feet west of the Hawthorne Avenue Site. The sediment study indicated that PAH contamination within the sediments is possibly related to the MGP process.

Section 3.3 Past Environmental Investigations

There have been no environmental investigations conducted on the Hawthorne Avenue Site. It was reported that up to three feet of soil may have been removed from the facility before the construction of the parking lot. This "unofficial" remedial action was not taken with any state or federal oversight and can not be substantiated. It was also reported that some soil was removed prior to the construction of the building

located north of the intersection of Kingsbury Street and Willow Street. Once again, this activity took place without any state or federal oversight.

Section 4.0 Potential Sources

4.1 Contaminated Soil

The only source of contamination identified during the Abbreviated Preliminary Assessment is contaminated soil. Although no site specific data exists at the Hawthorne Avenue Site, soil beneath the buildings and parking lot may be contaminated with MGP related materials. Historical information indicates that the Hawthorne Avenue Site contained a 2.5 million cubic foot gas holder. Based upon the fact that similar sites containing similar operations contained soil contamination with elevated concentrations of PAH's, it is assumed that these conditions are present at the Hawthorne Avenue Site as well.

Using the boundaries as described in Section 2.1, it is determined that the site encompasses approximately 2.5 acres. Based upon the area described as the site, an estimated 2.5 acres of contaminated soil exists at the Hawthorne Avenue Site.

During the August 14, 2007, site visit, the property was noted to contain mostly buildings and parking lot. The buildings and parking lot would provide a barrier that would inhibit human exposure to the sub surface. This barrier would also protect the contaminated soil from surface water erosion, rainwater infiltration, and wind erosion.

Section 5.0 Pathway Discussions

Section 5.1 Groundwater

Groundwater resources in the Chicago region are developed from four aquifer systems: 1) sand and gravel deposits of glacial drift; 2) shallow dolomite formations, mainly of Silurian age; 3) Cambrian – Ordovician Aquifer, of which the Ironton – Galesville and Glenwood – St. Peter Sandstones are the most productive formations; and 4) the Mt. Simon Aquifer, consisting of sandstone of the Mt. Simon and lower Eau Claire Formations of Cambrian age.

Water-yielding localized sand and/or silt lenses, and to a greater extent, sand and gravel deposits, occur in the drift, particularly in valleys cut into bedrock. Silurian age dolomite, which is widely used as a source of groundwater, is the upper most bedrock formation in the region and considered as the shallow dolomite aquifer. The glacial drift and the shallow dolomite aquifers are hydrologically connected and are recharged directly by seepage from precipitation. They are separated from the Cambrian – Ordovician Aquifer in most of the region by the relatively impervious Maquoketa Group Shale. The Cambrian – Ordovician Aquifer rises westward and is recharged at the surface or through glacial deposits west of the outcrop area of the Maquoketa Shale along the western edge of the Chicago region (beyond the western boundaries of Lake, Du Page, Cook, and Will Counties). The Cambrian – Ordovician Aquifer is separated from the Mt. Simon Aquifer by the shaly and silty beds of the Eau Claire Formation that prevents flow between the aquifers. The Mt. Simon Aquifer has a higher artesian pressure than the other aquifers, but the water quality in the eastern part of the Chicago region is not acceptable for many uses. This aquifer is recharged largely

from the outcrop region of Cambrian rocks in central southern Wisconsin. The Cambrian – Ordovician Aquifer has been the most highly developed bedrock aquifer, however, approximately 60 percent of the total pumpage in the Chicago region is from the glacial drift and shallow dolomite aquifer with no widespread decline in water level.

After reviewing the geology, groundwater usage of the area, and the Groundwater Quality Standards (35 IL Adm. Code Part 620), the groundwater beneath the site can be classified as Class II groundwater. The determination was based on the following: no potable water supply wells are within the minimum setback zone, no sandstone greater than 10 feet thick or fractured carbonate greater than 15 feet thick exists, and 99% of all water within the Chicago distribution area is supplied by the City of Chicago with water from Lake Michigan. In addition, hydraulic conductivity was determined at an adjacent site to be between 5.37×10^{-9} and 2.43×10^{-9} centimeters per second.

As indicated earlier there can be adequate groundwater reserves within the various aquifers in the Chicago region. However, the City of Chicago draws water from Lake Michigan and distributes it throughout the metropolitan and suburban transmission system for drinking water purposes. The City of Chicago also has a groundwater ordinance that prohibits the installation of new potable water supply wells within the city limits (Appendix C). The Illinois State Geological Survey (ISGS) and the Illinois State Water Survey (ISWS) indicate that there are only wells used for industrial purposes within a four mile radius of the Hawthorn Avenue Site (Appendix A).

On the Hawthorne Avenue Site, the presence of a paved parking lot and buildings would provide a barrier to soils beneath. These barriers would restrict the infiltration of rainwater through the contaminated zone and into the groundwater.

Section 5.2 Surface Water

Although there is a possibility that contaminated soils exist at the Hawthorne Avenue Site, it is essentially covered by buildings or a paved parking lot. These barriers would inhibit the exposure of on-site soil from migrating to nearby surface waters. Excess surface water is channeled into surrounding storm sewers that eventually enter the City of Chicago's combined sewer system. Water in this system is treated at the sewage treatment facility before being discharged to a surface water body.

A sediment study was conducted in the waters of the North Branch of the Chicago River in 2007. The study documented that contamination existed within the sediments of the river that was consistent with MGP sites. Adjacent to the North Branch of the Chicago River, and west of the Hawthorne Avenue Site, is another MGP site currently undergoing remedial activities. Although there is contamination within the sediments of the North Branch of the Chicago River, attribution to the Hawthorne Avenue Site can not be established.

A definitive release to surface water has not been established from the Hawthorne Avenue Site. There is a possibility that potentially contaminated groundwater beneath the site may flow into surrounding surface waters. If this scenario exists, a Probable Point of Entry (PPE) would most likely be within the North Branch of the Chicago River approximately 300 feet west of the site. From the PPE, surface

waters flow in a southerly direction for approximately 2.1 miles when the North and South Branches of the Chicago River join. Surface water continues to flow in the South Branch of the Chicago River in southwesterly direction for an additional 4 miles. At that point the South Branch of the Chicago River joins with the Chicago Sanitary and Ship Canal. The 15-mile Target Distance Limit is achieved within the waters of the Chicago Sanitary and Ship Canal at a point just west of Summit, Illinois. A map depicting the 15-mile surface water route can be found in Appendix A. There are no surface water intakes used for drinking water located within the 15-mile Target Distance Limit.

According to the Illinois Department of Natural Resources, the North Branch of the Chicago River is classified as a fishery and contains bullhead, carp, and sunfish with smaller species of sport fish. The Chicago Ship and Sanitary Canal is classified as a fishery and supports mainly carp and other less desirable species. Neither surface water body supports and state or federally endangered species.

According to the Federal Emergency Management Agency (FEMA), the site is located outside the 100 year floodplain of the North Branch of the Chicago River. According to National Wetland Inventory maps, no wetland areas can be found within the boundaries of the site.

Section 5.3 Soil Exposure

The Hawthorne Avenue Site was part of a larger MGP facility that operated from at least the late 1800's until the 1950's. The main structure on the Hawthorne Avenue Site was a 2.5 million cubic foot gas holder. Analytical data gathered at MGP facilities that conducted similar operations indicate that PAH contamination is commonly found

within sub-surface soils. Although no site specific analytical data is available for the Hawthorne Avenue Site, it is assumed that soil contamination exists.

It has been reported that soil removals may have occurred prior to the construction of a building and parking lot on the Hawthorne Avenue Site. Although there may have been a limited amount of soil removed from the site, there is not any documentation that would support this claim. There was also no state or federal oversight during any of those potential removal actions. Due to these circumstances, it will be assumed that soil contamination still exists on the Hawthorne Avenue Site.

Direct contact to potentially contaminated soils is greatly diminished due to the presence of buildings, sidewalks, and parking lots. These barriers would protect on-site workers and patrons of local businesses from exposure to potentially contaminated soil at the site. There are no schools or daycare facilities located within 200 feet of the site. These barriers would also prevent nearby residents from direct contact with the on-site soils. It is estimated that 58,566 people reside within one-mile of the site.

Nearby population within one-mile of the site

Distance (mi)	Population
On-Site	20
0 – ¼ mile	956
¼ - ½ mile	6741
½ - 1 mile	50939
Total	58566

Section 5.4 Air Route

The majority of the Hawthorne Avenue Site is covered by a building or an asphalt parking lot. In addition, it was reported that up to three feet of contaminated soil was removed, prior to the installation of the parking lot although it can not be verified. The

presence of a structured barrier would inhibit gas or particulate material from being suspended. Due to these conditions, the air route was not evaluated.

Population within four miles of the site

Distance (mi)	Population
On-Site	20
0 – ¼ mile	956
¼ - ½ mile	6741
½ - 1 mile	50939
1 – 2 miles	203752
2 – 3 miles	209410
3 – 4 miles	2644598
Total	736416

Section 6.0 Summary

Illinois EPA's Office of Site Evaluation was tasked to evaluate the Hawthorne Avenue Site and determine its impact to surrounding human populations, nearby surface waters, and area groundwater. This evaluation utilized existing data from the Hawthorne Avenue Site and nearby MGP facilities.

The Hawthorne Avenue Site occupies approximately 2.5 acres and is located within the City of Chicago, Cook County, Illinois. According to historical maps of the facility, the Hawthorne Avenue Site contained a 2.5 million cubic foot gas holder northeast of the intersections of Willow Street and Kingsbury. The gas holder was reportedly dismantled in 1958 and there are no remnants of this structure. There is one original building remaining on the site and is currently being utilized for retail shopping. A large, paved parking lot is also found on the site.

Currently the Hawthorne Avenue Site is owned by three separate entities. Marcey Properties, LLC, owns and leases southern portions of the site to two retail

businesses. It was within the southern portion of the site that most of the structures related to the MGP site were once located. Commonwealth Edison utilizes the northern portion of the site as a transformer station and equipment storage yard. Integrys (formerly Peoples Gas) owns the remaining portion of the site and uses it as a natural gas regulating station with intermittent maintenance activities.

The Hawthorne Avenue Site is located approximately 300 feet west of the North Branch of the Chicago River. Excess surface water flows from the site into a surrounding perimeter storm water drain that is eventually treated by the City of Chicago. There is no direct surface water connection between the Hawthorne Avenue Site and the North Branch of the Chicago River.

The site is mostly covered with impermeable objects such as buildings, sidewalks, and parking lots. These objects appear to provide a barrier and limit the migration of potentially contaminated soils from the site to nearby targets. These barriers will limit the infiltration of rainwater through potentially contaminated soil into the groundwater beneath the site. These impermeable objects would also limit the exposure to on-site workers or patrons of one of the active businesses through direct contact and prevent particulate material from blowing from the site via the air migration pathway.

Section 7.0 References

Federal Register, Part II, Environmental Protection Agency, 40 CFT Part 300;
December 14, 1990.

Illinois Environmental Protection Agency, Bureau of Land; File for Willow Street Station,
LPC # 0316070002.

Illinois Environmental Protection Agency, Bureau of Land; File for Peoples Gas – Hawthorne Avenue Former MGP Site, LPC # 0316070023.

Preliminary Site Investigation Willow Street Station Gas Production and Storage Facility, Hanson Engineers, November 1991.

The Former Willow Street Station Manufactured Gas Plant Site, 1640 North Kingsbury Portion, Burns & McDonnell, June 2007.

Summary of the Geology of the Chicago Area, Illinois State Geological Survey, H.B. Willman, Circular 460, 1971.

Glacial Drift in Illinois: Thickness and Character, Illinois State Geological Survey, Piskin and Bergstrom, Circular 490, 1975.

Quaternary Deposits of Illinois Map, Illinois State Geological Survey, 1979.

Environmental Forensic Report Peoples Gas – Former Willow Street Station, META Environmental, Inc., March 28, 2007.

Draft River Sediment Investigation Summary for the Former Willow Street Station, 1640 and 1740 North Kingsbury Street, Chicago, Illinois, Burns & McDonnell, April 2007.

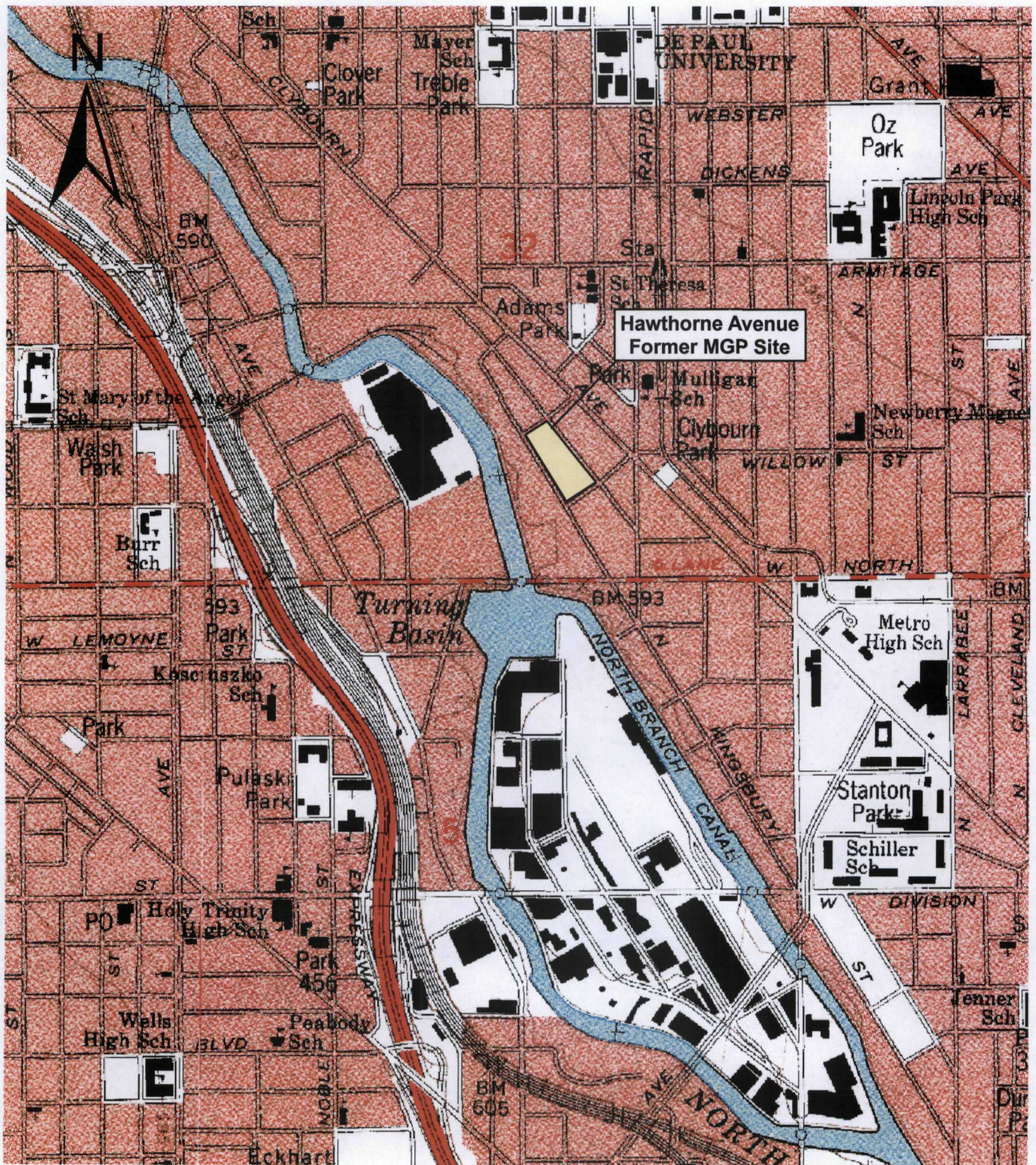
Figures and Tables

Figure 1
Site Location Map



**Peoples Gas - Hawthorne
Avenue Former MGP Site
Cook, County**

Figure 2
Site Topographic Map



Chicago Loop Quadrangle

Map Scale

0 700 1,400 2,800 4,200 Feet

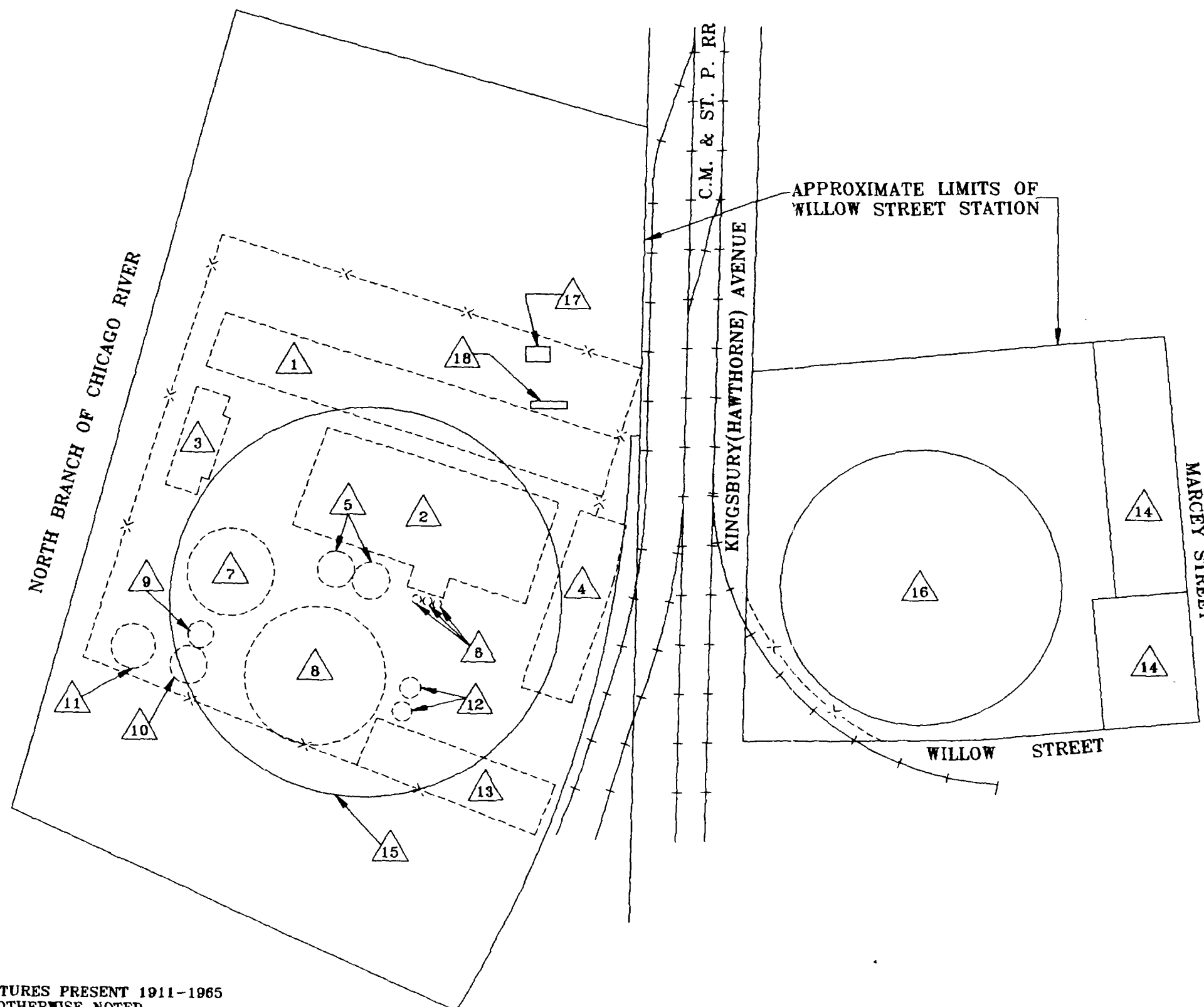
Figure 3
Site Aerial Photograph



Figure 4
Willow Street Station Map

LEGEND

- 1 COAL SHED (1910-1935)
- 2 GENERATORS (1910-1935)
- 3 STORAGE (1910)
- 4 OFFICE (1910-1935)
- 5 TAR WELLS (1910-1935)
- 6 HYDROMETERS (1910)
- 7 100,000 CU. FT. GAS HOLDER (1910-1935)
- 8 420,000 CU. FT. GAS HOLDER (1910-1935)
- 9 70,000 GALLON OIL TANK (1910-1935)
- 10 73,000 GALLON OIL TANK (1910-1935)
- 11 158,000 GALLON TAR TANK (1910-1935)
- 12 SCRUBBERS (1910-1935)
- 13 PURIFYING ROOM (1910-1935)
- 14 GARAGE (1950)
- 15 17 MILLION CU. FT. HOLDER (1965)
- 16 2.5 MILLION CU. FT. HOLDER (1910-1950)
- 17 10,000 GALLON TAR STORAGE TANK (1965)
- 18 2,000 GALLON DRIP LIQUOR TANK (1965)



NOTE:
SITE FEATURES PRESENT 1911-1965
UNLESS OTHERWISE NOTED.

SOURCE:
PEOPLES GAS LIGHT AND COKE COMPANY,
SITE PLAN, LAST REVISION 12/13; PEOPLES
GAS LIGHT AND COKE COMPANY, DRAWING
NO. 2070, LAST REVISION 02/09/65; CITY
OF CHICAGO SANBORN MAPPING, VOL. 2,
FILE 56, 1911 AND 1950.

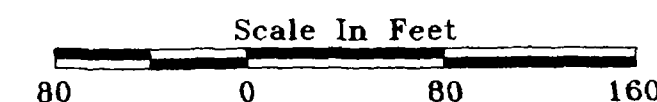
SITE PLAN (1911-1965)



PEOPLES GAS LIGHT & COKE CO.
WILLOW STREET STATION
CHICAGO, ILLINOIS

JOB NO. 88S5074A

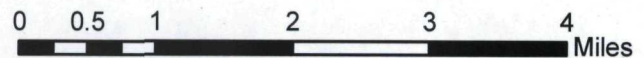
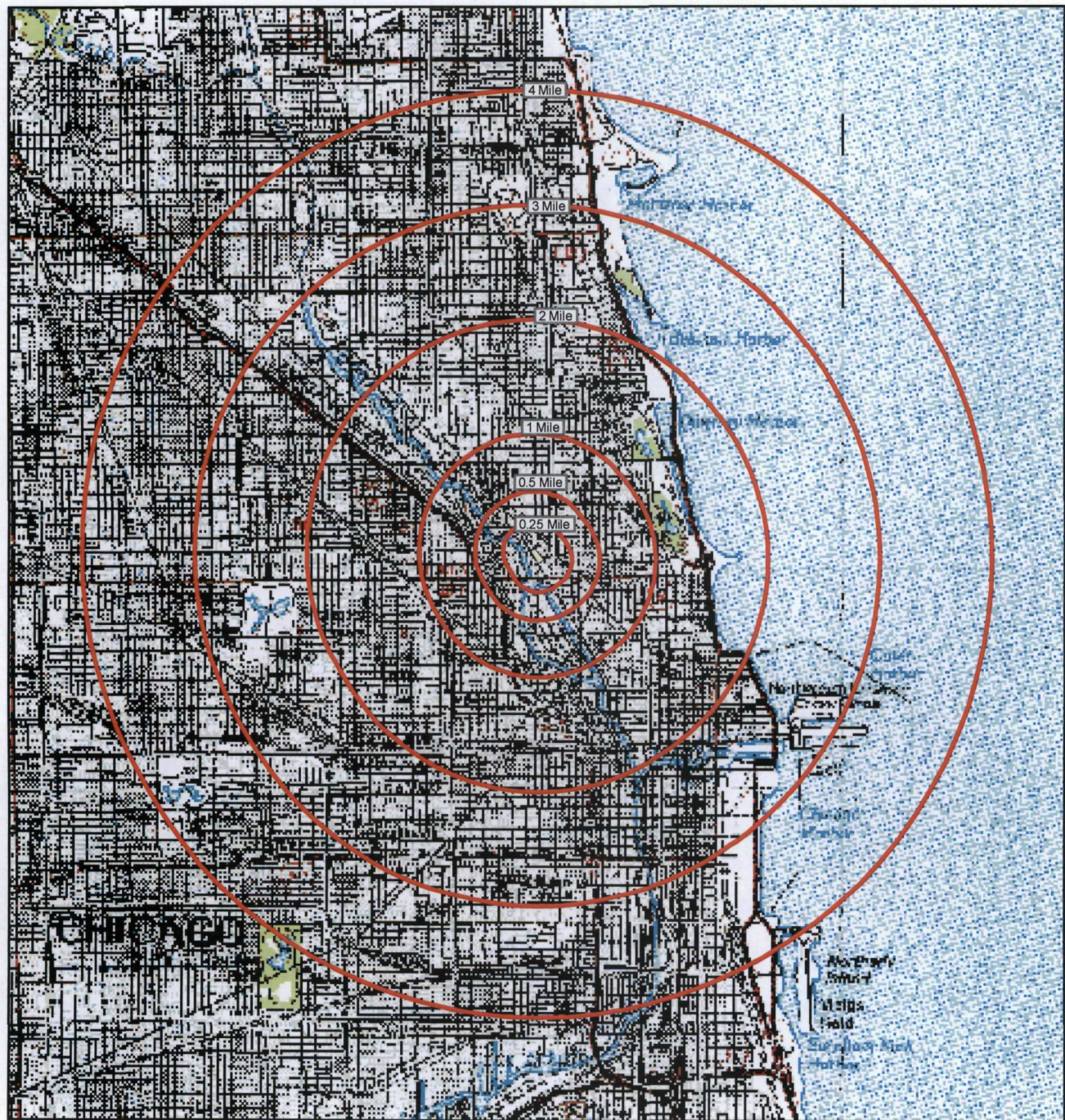
FIGURE 3.3



88S5074A\001

Appendix A
4-Mile Radius Map
15-Mile Surface Water Route Map
Wells and Intakes within 4-Miles

People's Gas - Hawthorne Station 4 Mile Radius



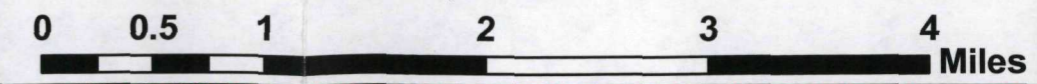
15-Mile Surface Water Route Map

Hawthorne Avenue
Former MGP Site

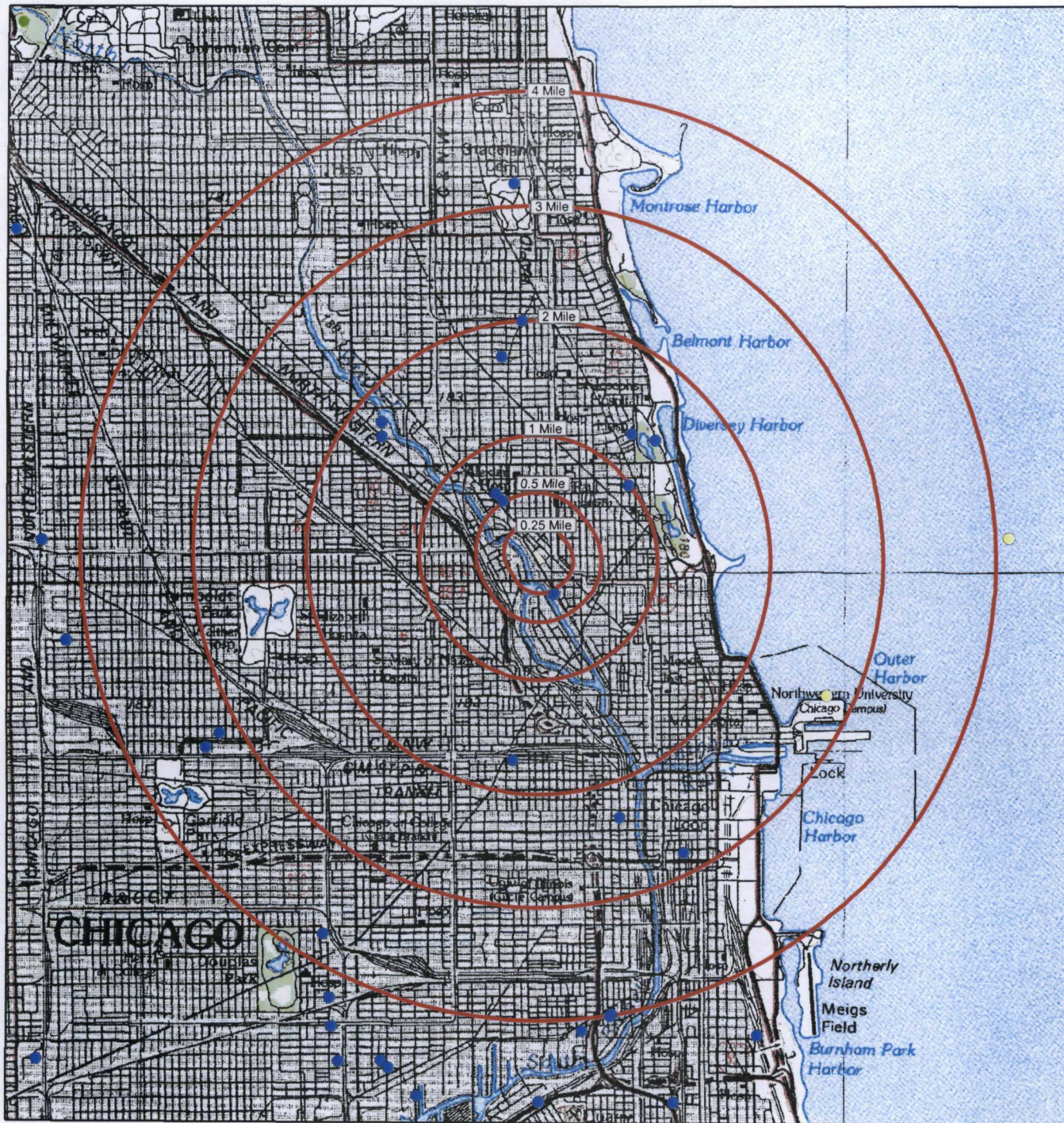
Probable Point of Entry
(PPE)

15-Mile
Target Distance Limit

Map Scale



People's Gas - Hawthorne Station Wells & Intakes



Legend

- CWS Wells
- NonCWS Wells
- ISGS Database Water Wells
- CWS Surface Water Intakes

0 0.5 1 2 3 4 Miles



Appendix B

Site Photographs

**Peoples Gas – Hawthorne Avenue Former MGP Site
Chicago, Illinois
LPC # 031 607 0023**

Date: **August 14, 2007**

Time: **11:30 a.m.**

Taken By: **Jim Salch**

Photograph Number: **1**

Direction: **Northwest**

Comments: **Photograph taken of the northern portion of the Hawthorne Avenue Station.**



Date: **August 14, 2007**

Time: **11:30 a.m.**

Taken By: **Jim Salch**

Photograph Number: **2**

Direction: **Southwest**

Comments: **Photograph taken of the Willow Street Station environmental cleanup, adjacent to the North Branch of the Chicago River.**



**Peoples Gas – Hawthorne Avenue Former MGP Site
Chicago, Illinois
LPC # 031 607 0023**

Date: **August 14, 2007**

Time: **11:30 a.m.**

Taken By: **Jim Salch**

Photograph Number: **3**

Direction: **West-southwest**

Comments: **Photograph taken of the Willow Street Station environmental cleanup, adjacent to the North Branch of the Chicago River.**



Date: **August 14, 2007**

Time: **11:30 a.m.**

Taken By: **Jim Salch**

Photograph Number: **4**

Direction: **West**

Comments: **Photograph taken of business located west of Kingsbury Street (aka: Hawthorne Avenue).**



**Peoples Gas – Hawthorne Avenue Former MGP Site
Chicago, Illinois
LPC # 031 607 0023**

Date: **August 14, 2007**

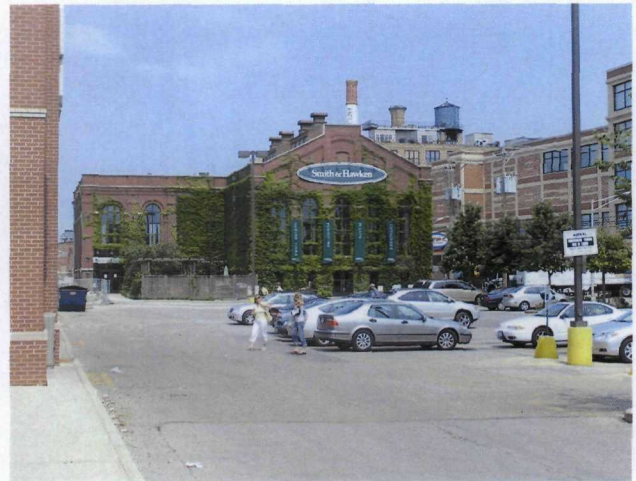
Time: **11:30 a.m.**

Taken By: **Jim Salch**

Photograph Number: **5**

Direction: **Northwest**

Comments: **Photograph taken of asphalt parking lot which was the location of the Hawthorne Avenue MGP site.**



Appendix C
City of Chicago
Groundwater Ordinance

CHICAGO GROUNDWATER ORDINANCE

In May 1997, the Chicago City Council passed a groundwater ordinance, set forth below, prohibiting the installation of new potable water supply wells. The purpose is to limit the potential for persons to be exposed to contaminants by ingesting groundwater. Since new potable wells are prohibited, groundwater contamination is not a potential source of exposure for the vast majority of sites in the city. Limiting the potential exposure pathways to those posed by ingesting or inhaling soil makes cleanups more practical and cost effective. Site owners enrolled in the Illinois Site Remediation Program still must test and report groundwater impacts from their site, however.

The City of Chicago and the Illinois Environmental Protection Agency have a memorandum of understanding which acknowledges the City's groundwater ordinance as an acceptable "institutional control" under the state's TACO guidelines.

* * * *

Municipal Code of Chicago, Illinois Chapter 11-8 WATER SUPPLY AND DISTRIBUTION SYSTEMS*

-
- * **Editor's note:** Coun. J. 3-28-01, p. 55444, § 1, repealed Ch. 11-8, in its entirety, which pertained to water supply and distribution systems. Subsequently, Amend Coun. J. 11-28-01, p. 72895, § 1 added provisions designated as § 11-8-390. Former Ch. 11-8 (title) has been restored at the discretion of the editor to accommodate inclusion of provisions designated as 11-8-390. See the Code Comparative Table.
-

11-8-390 Potable water wells.

For purposes of this section, "potable water" is any water used for human consumption, including but not limited to water used for drinking, bathing, washing dishes, preparing foods and watering gardens in which produce intended for human consumption is grown. No groundwater well, cistern or other groundwater collection device installed after May 14, 1997, may be used to supply any potable water supply system, except at points of withdrawal by the City of Chicago or by a unit of local government pursuant to intergovernmental agreement with the City of Chicago.

(Added Coun. J. 11-28-01, p. 72895, § 1)